United Nations S/PRST/2010/11

Security Council

Distr.: General
29 June 2010

Original: English

Statement by the President of the Security Council

At the 6347th meeting of the Security Council, held on 26 June 2010, in connection with the Council's consideration of the item entitled "The promotion and strengthening of the rule of law in the maintenance of international peace and security", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council reaffirms its commitment to the Charter of the United Nations and international law, and to an international order based on the rule of law and international law, which is essential for peaceful coexistence and cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security.

"The Security Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter of the United Nations. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work and calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.

"The Security Council calls upon States to resort also to other dispute settlement mechanisms, including international and regional courts and tribunals which offer States the possibility of settling their disputes peacefully, contributing thus to the prevention or settlement of conflict.

"The Security Council emphasizes the importance of the activities of the United Nations Secretary-General in promoting mediation and in the pacific settlement of disputes between States, recalls in this regard the Secretary-General's Report on enhancing mediation and its support activities of 8 April 2009 (S/2009/189), and encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for this purpose.

"The Security Council recognizes that respect for international humanitarian law is an essential component of the rule of law in conflict situations and reaffirms its conviction that the protection of the civilian population in armed conflict should be an important aspect of any

10-42948 (E) 290610

Please recycle

comprehensive strategy to resolve conflict and recalls in this regard resolution 1894 (2009).

"The Security Council further reiterates its call for all parties to armed conflict to respect international law applicable to the rights and protection of women and children, as well as displaced persons and humanitarian workers and other civilians who may have specific vulnerabilities, such as persons with disabilities and older persons.

"The Security Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Security Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

"The Security Council notes that the fight against impunity for the most serious crimes of international concern has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and takes note of the stocktaking of international criminal justice undertaken by the first Review Conference of the Rome Statute held in Kampala, Uganda from 31 May to 11 June 2010. The Council intends to continue forcefully to fight impunity and uphold accountability with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth and reconciliation commissions as well as national reparation programs for victims, institutional reforms and traditional dispute resolution mechanisms.

"The Security Council expresses its commitment to ensure that all UN efforts to restore peace and security themselves respect and promote the rule of law. The Council recognizes that sustainable peacebuilding requires an integrated approach, which strengthens coherence between political, security, development, human rights and rule of law activities. In this regard, the Council reiterates the urgency of improving UN peacebuilding efforts and achieving a coordinated United Nations approach in the field among all parts of the UN system, including in ensuring capacity building support to assist national authorities to uphold the rule of law especially after the end of UN peacekeeping and other relevant missions.

"The Security Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and are implemented by Member States. The Council remains committed to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. In this context, the Council recalls the adoption of resolutions 1822 (2008) and 1904 (2009) including the appointment of an Ombudsperson and other procedural improvements in the Al Qaida and Taliban sanctions regime.

"The Security Council welcomes the establishment of the Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General and supported by the Rule of Law Unit, and urges greater efforts by the Group to ensure a coordinated and coherent response by the UN system to issues on the Council's agenda related to the rule of law.

"The Security Council requests the Secretary-General to provide a follow-up report within 12 months to take stock of the progress made in respect to the implementation of the recommendations contained in the 2004 Report of the Secretary-General (S/2004/616), and to consider in this context further steps in regard with the promotion of the rule of law in conflict and post-conflict situations."